

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Buckley *et al.*

**Conf. No.:** 6579

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**Examiner:** Reilly, Sean M.

**Title:** METHOD AND SYSTEM FOR  
MANAGING A PLURALITY OF  
CONSOLE DEVICES IN A NETWORK

**Docket No.:** BLD920010026US1  
(IBME-0022)

Mail Stop Appeal Brief- Patents  
Commissioner for Patents  
P.O. Box 1450  
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**BRIEF OF APPELLANTS**

This is an appeal from the Final Rejection dated April 7, 2006, rejecting claims 1-26.

This Brief is accompanied by the requisite fee set forth in 37 C.F.R. 1.17 (c).

**REAL PARTY IN INTEREST**

International Business Machines Corporation is the real party in interest.

**RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences.

## **STATUS OF CLAIMS**

As filed, this case included claims 1-26. Claims 1-26 remain pending. Claims 1-26 stand rejected and form the basis of this appeal.

## **STATUS OF AMENDMENTS**

No amendment has been submitted in response to the After Final Rejection filed by the Office on April 7, 2006.

## **SUMMARY OF THE CLAIMED SUBJECT MATTER**

The present invention provides a method and system for managing a plurality of console devices in a network is provided. Specifically, under the present invention a plurality of console devices interconnected over a hardwired network is provided. An availability of one of the console devices is checked. Once checked, a shared session from a current user of the checked console device is requested. If the request is granted, a shared session of the console device is then started. Once started, the console device is accessed on a peer to peer basis over the hardwired network (see e.g., page 15, line 9 through page 16, line 7).

Claim 1 claims a method for managing a plurality of console devices over a network, comprising the steps of: providing a plurality of console devices interconnected over a hardwired network (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N); checking an availability of one of the console devices (see e.g., page 7, line 17-21); requesting a shared session from a current user of the checked console device (see e.g., page 14, lines 1-9, FIG. 3, item 54); starting the shared session; and accessing the console device on a peer to peer basis over the hardwired network during the shared session (see e.g., page 12, lines 4-15; FIG. 3, item

50), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the method is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

Claim 7 claims a method for managing a plurality of console devices in a network, comprising the steps of: providing a plurality of console devices interconnected over a hardwired serial port network (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N); checking an availability of one of the console devices prior to attempting to access the console device (see e.g., page 7, line 17-21); requesting a shared session from a current user of the console device (see e.g., page 14, lines 1-9, FIG. 3, item 54); starting a shared session at a TCP/IP layer level (see e.g., page 14, lines 10-21; FIG. 3, item 50); accessing the console device on a peer to peer basis over the hardwired serial port network (see e.g., page 12, lines 4-15); and performing system console access of the console device (see e.g., page 14, lines 10-21; FIG. 3, item 50), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the method is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

Claim 9 claims a method for managing a plurality of console devices in a network, comprising the steps of: providing a plurality of console devices interconnected over a hardwired serial port network (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N); a current user of one of the console devices inviting a new user to join a shared session of the

console device (see e.g., page 13, lines 11-22; FIG. 3, item 52); starting the shared session of the console device (see e.g., page 14, lines 10-21); and accessing the console device on a peer to peer basis over the hardwired serial port network (see e.g., page 12, lines 4-15, FIG. 3, item 50), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the method is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

Claim 12 claims a system for managing a console device in a network, comprising: a system server (FIG. 2, item 11); a terminal concentrator server connected to the system server (FIG. 2, items 28A-N); a multiplexor connected to the terminal concentrator server (FIG. 2, items 30A-N); a console device connected to the multiplexor (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N); and a program product stored on the system server for allowing users to open a shared session and access the console device (see e.g., page 13, line 4 through page 15, line 8, FIG. 3, item 26), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the system is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

Claim 20 claims a system for managing a plurality of console devices in a network, comprising: a system server (FIG. 2, item 11); a plurality of terminal concentrator servers connected to the system server (FIG. 2, items 28A-N); a separate multiplexor connected to each of the terminal concentrator servers (FIG. 2, items 30A-N); at least one console device hardwired to each multiplexor (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N);

and a program product stored on the system server for allowing users to open a shared session of a particular console device (see e.g., page 13, line 4 through page 15, line 8, FIG. 3, item 26), and to access the particular console device on a peer to peer basis (see e.g., page 12, lines 4-15), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the system is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

Claim 26 claims a program product stored on a recordable medium for managing a plurality of console devices interconnected over a hardwired serial port network (see e.g., page 7, line 15 through page 8, line 22; FIG. 2, items 32A1-32N), which when executed, comprises: program code configured to access one of a plurality of console devices on a peer to peer basis (see e.g., page 12, lines 4-15); program code configured to invite a user to join a shared session of one of the console devices (see e.g., page 13, lines 11-22); program code configured to request a shared session from a current user of one of the console devices (see e.g., page 14, lines 1-9, FIG. 3, item 54); program code configured to delegate control of one of the console devices during a shared session (see e.g., page 15, lines 1-8; FIG. 3, item 58); and program code configured to regain delegated control of one of the console devices (see e.g., page 15, lines 1-8; FIG. 3, item 58), wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter (see e.g., page 15, line 9 through page 16, line 7), and wherein the program product is adapted to access the console device in the case that the console device has failed (see e.g., page 15, line 9 through page 16, line 7).

## **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1- 26 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.
2. Claims 1- 26 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.
3. Claims 1- 26 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.
4. Claims 1 and 3-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu *et al.* (U.S. Patent App. No. 6,691,154), hereafter “Zhu,” in view of Chang (U.S. Patent App. No. 5,444,850), hereafter “Chang,” and further in view of Sarin *et al.* (“Computer-based real-time conferencing systems,” hereafter “Sarin.”)
5. Claims 2 and 7-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu in view of Chang and Sarin and further in view of Isfeld *et al.* (U.S. Patent Number 5,483,640), hereafter “Isfeld.”
6. Claims 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu in view of Chang and Isfeld and further in view of Thompson *et al.* (U.S. Patent Publication No. 2002/0075303), hereafter “Thompson.”
7. Claims 12, 15-18, 20-22 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu in view of Chang and further in view of Partridge *et al.* (U.S. Patent No. 6,160,819), hereafter “Partridge.”
8. Claims 13-14 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu in view of Chang, Partridge and Isfeld.

9. Claims 19 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhu in view of Chang, Partridge, Isfeld, Sarin and Thompson.
10. Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Powderly, Isfeld, Sarin and Thompson.
11. Claims 1 and 3-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz *et al.* (U.S. Patent No. 6,587,125), hereafter “Paroz,” in view of Chang and Sarin.
12. Claims 2, 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Chang and Sarin and further in view of Isfeld.
13. Claims 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Chang and Isfeld and further in view of Thompson.
14. Claims 12, 15-18, 20-22 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Chang and further in view of Partridge.
15. Claims 13-14 and 23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Chang, Partridge and Isfeld.
16. Claims 19 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Paroz in view of Chang, Partridge, Isfeld, Sarin and Thompson.
17. Claim 26 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Paroz in view of Chang, Isfeld, Sarin and Thompson.

## **ARGUMENT**

### **1. REJECTION OF CLAIMS 1-26 UNDER 35 U.S.C. §112, FIRST PARAGRAPH, AS FAILING TO COMPLY WITH THE ENABLEMENT REQUIREMENT**

The Office's assertion that claims 1-26 fail to comply with the enablement requirement is in error. Specifically, the Office states that it would be impossible to access a device remotely without the use of a signal device transmitter because otherwise there would be no exchange of data at all. Appellants respectfully submit that the Examiner misinterprets the language of the claim. Specifically the claim language states that the device can be accessed without the requirement for an additional signal device transmitter. To this extent no signal device transmitter other than that which is claimed is needed. Accordingly, Appellants request that the rejection be overruled.

### **2. REJECTION OF CLAIMS 1-26 UNDER 35 U.S.C. §112, FIRST PARAGRAPH, AS FAILING TO COMPLY WITH THE WRITTEN DESCRIPTION REQUIREMENT**

The Office's assertion that claims 1-26 fail to comply with the written description requirement is in error. Specifically, the Office states that the specification does not disclose how both the hardware and software layer can be accessed without the requirement for a signal device transmitter. As stated above, the claim language states that the device can be accessed without the requirement for an additional signal device transmitter. This original specification teaches that this limitation is provided by the hardware configuration of Fig. 2. Page 15, line 9 through page 16, line 7. Accordingly, Appellants request that the rejection be overruled.



### **3. REJECTION OF CLAIMS 1-26 UNDER 35 U.S.C. §112, SECOND PARAGRAPH, AS BEING INDEFINITE**

The Office's assertion that claims 1-26 are indefinite is in error. Specifically, the Office states that it is not clear whether this limitation is merely an intended use or is instead an actual step of the method that should be given patentable weight. Appellants submit that the limitation is not merely an intended use, but rather describes a functional characteristic of the claimed invention. To this extent, the limitation objected to by the Examiner further defines the ability of the claimed invention to access the console device and is an important limitation that must be considered. Accordingly, Appellants request that the rejection be overruled.

### **4. REJECTION OF CLAIMS 1 AND 3-6 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG AND SARIN**

Appellants respectfully submit that the rejection of claims 1 and 3-6 under 35 U.S.C. 103(a) over Zhu in view of Chang and Sarin is defective.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Appellants respectfully submit that the cited references, taken alone or in combination, fail to meet each of the three basic criteria required to establish a *prima facie* case of obviousness. As such, the rejection under 35 U.S.C. §103(a) is defective.

In the above referenced Final Office Action, the Examiner alleges that Zhu teaches or suggests accessing the console device on a peer to peer basis. Instead, the passage of Zhu cited by the Office teaches

The system can be configured to permit some, or alternatively, all of the remote experts in the data conference to control the file editing application associated with the desktop application or the selected application to edit the loaded desktop or the application screen, respectively. Col. 5, lines 42-47.

To this extent, the remote experts of Zhu are permitted some form of control over the desktop application. However, the above cited passage of Zhu does not teach or suggest that the remote experts access the desktop application on a peer to peer basis. The Office admits that Zhu fails to establish a true peer to peer connection, but asserts that the claimed invention does as well as a server is used to connect to the remote console device. Office Action, page 30. However, it is the accessing of the device that is performed on a peer to peer basis after the session is begun. Zhu does not teach this peer to peer accessing of a device. In fact, Zhu teaches against a peer to peer basis by citing advantages of using a client-server architecture rather than a peer-to-peer architecture. Col. 2, line 63 through col. 3, line 8. To this extent, these teachings, namely peer to peer access of any type, are in opposition to the teachings of Zhu. In contrast, the claimed invention includes "...accessing the console device on a peer to peer basis over the hardwired network." Claim 1. As such, the accessing of the console device as included in the claimed invention does not merely use a client-server architecture as in Zhu, but rather is on a peer to peer basis. Neither Chang nor Sarin removes this deficiency. Accordingly, Applicants request that the rejection be withdrawn.

In the above referenced Final Office Action, the Examiner also alleges that Chang teaches or suggests that that both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device

transmitter. The Office admits that Zhu fails to disclose a user is capable of accessing the hardware layer of a console device. Final Office Action, page 4. Instead, the Office states that "...Chang's remote access functionality is performed through software stored in the device's firmware." Final Office Action, page 6 citing Chang, Col 3, lines 12-50. However, the firmware to which the Examiner refers is taught by Chang as being installed on the workstation network interface card (NIC) or motherboard." Col. 4, lines 10-20. To this extent, the firmware of Chang constitutes a hardware dongle. Accordingly, nowhere does Chang teach or suggest that both the hardware and software layer may be accessed without the requirement for an additional hardware dongle or a signal device transmitter. In contrast, under the claimed invention "...both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter." Claim 1. As such, in contrast to Chang, which requires an installed firmware, in the claimed invention, both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

In the above referenced Final Office Action, the Examiner also alleges that Chang teaches or suggests that the method is adapted to access the console device in the case that the console device has failed. Instead, Chang teaches that its access occurs during a boot sequence of a device. To this extent, the device to which access is occurring must be booting, and, as such, can not have failed. Nowhere do the cited references teach or suggest that they are adapted to access the console device in the case that the console device has failed. The claimed invention, in contrast, includes "...the method is adapted to access the console device in the case that the console device has failed." Claim 1. As such, the method of the claimed invention does

not occur during boot, as does Chang, but instead is adapted to access the console device in the case that the console device has failed. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**5. REJECTION OF CLAIMS 2, 7 AND 8 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG, SARIN AND ISFELD**

Appellants initially incorporate the above enumerated arguments. Additionally, there would be no motivation to combine Isfeld with Zhu because Zhu teaches against peer to peer architecture.

**6. REJECTION OF CLAIMS 9-11 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG, ISFELD AND THOMPSON**

With regard to the rejection over Zhu in view of Chang, Isfeld and Thompson, Appellants incorporate the above enumerated arguments.

**7. REJECTION OF CLAIMS 12, 15-18, 20-22 and 24 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG AND PARTRIDGE**

With regard to the rejection over Zhu in view of Chang, and Partridge, Appellants incorporate the above enumerated arguments.

**8. REJECTION OF CLAIMS 13, 14 and 23 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG, PARTRIDGE AND ISFELD**

With regard to the rejection over Zhu in view of Chang, and Partridge, Appellants incorporate the above enumerated arguments.

**9. REJECTION OF CLAIMS 19 AND 25 UNDER 35 U.S.C. §103(a) OVER ZHU IN VIEW OF CHANG, PARTRIDGE, ISFELD, SARIN, AND THOMPSON**

With regard to the rejection over Zhu in view of Chang, Partridge, Isfeld, Sarin and Thompson, Appellants incorporate the above enumerated arguments.

**10. REJECTION OF CLAIM 26 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, ISFELD, SARIN, AND THOMPSON**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Isfeld, Sarin and Thompson, as this rejection is identical to the one addressed in section N of this paper. Applicants will address it in full in that section. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**11. REJECTION OF CLAIMS 1 AND 3-6 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG AND SARIN**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang and Sarin, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**12. REJECTION OF CLAIMS 2, 7 AND 8 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, SARIN AND ISFELD**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Sarin and Isfeld, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**13. REJECTION OF CLAIMS 9-11 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, ISFELD AND THOMPSON**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Isfeld and Thompson, Appellants incorporate the above enumerated arguments. Accordingly, Applicants

respectfully request that the Office withdraw its rejection.

**14. REJECTION OF CLAIMS 12, 15-18, 20-22 AND 24 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG AND PARTRIDGE**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang and Partridge, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**15. REJECTION OF CLAIMS 13, 14 and 23 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, PARTRIDGE AND ISFELD**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Partridge and Isfeld, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**16. REJECTION OF CLAIMS 19 AND 25 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, PARTRIDGE, ISFELD, SARIN, AND THOMPSON**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Partridge, Isfeld, Sarin and Thompson, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**17. REJECTION OF CLAIM 26 UNDER 35 U.S.C. §103(a) OVER PAROZ IN VIEW OF CHANG, ISFELD, SARIN, AND THOMPSON**

With regard to the 35 U.S.C. §103(a) rejection over Paroz in view of Chang, Isfeld, Sarin and Thompson, Appellants incorporate the above enumerated arguments. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

**CONCLUSION**

In summary, Appellants submit that claims 1-33 are allowable because Guinta fails to teach each and every feature of the claimed invention and because the cited references, taken alone or in combination, fail to meet each of the three basic criteria required to establish a *prima facie* case of obviousness.

Respectfully submitted,



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## CLAIMS APPENDIX

### Claim Listing:

1. A method for managing a plurality of console devices over a network, comprising the steps of:  
providing a plurality of console devices interconnected over a hardwired network;  
checking an availability of one of the console devices;  
requesting a shared session from a current user of the checked console device;  
starting the shared session; and  
accessing the console device on a peer to peer basis over the hardwired network during the shared session,  
wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter,  
and wherein the method is adapted to access the console device in the case that the console device has failed.
2. The method of claim 1, wherein the hardwired network is a hardwired serial port network.
3. The method of claim 1, wherein the shared session is started from a remote location.
4. The method of claim 1, wherein the shared session is started at a TCP/IP layer level.
5. The method of claim, further comprising the step of performing system console access of the accessed consoled device.
6. The method of claim 1, wherein the console devices are computer systems.
7. A method for managing a plurality of console devices in a network, comprising the steps of:  
providing a plurality of console devices interconnected over a hardwired serial port network;  
checking an availability of one of the console devices prior to attempting to access the console device;  
requesting a shared session from a current user of the console device;  
starting a shared session at a TCP/IP layer level;  
accessing the console device on a peer to peer basis over the hardwired serial port network; and  
performing system console access of the console device,  
wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter,  
and wherein the method is adapted to access the console device in the case that the console device has failed.
8. The method of claim 7, wherein the console devices are computer systems.

9. A method for managing a plurality of console devices in a network, comprising the steps of:  
providing a plurality of console devices interconnected over a hardwired serial port network;  
a current user of one of the console devices inviting a new user to join a shared session of the console device;  
starting the shared session of the console device; and  
accessing the console device on a peer to peer basis over the hardwired serial port network,  
wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter,  
and wherein the method is adapted to access the console device in the case that the console device has failed.
10. The method of claim 9, wherein the shared session is started at a TCP/IP layer level.
11. The method of claim 9, further comprising the step of performing system console access of the console device.
12. A system for managing a console device in a network, comprising:  
a system server;  
a terminal concentrator server connected to the system server;  
a multiplexor connected to the terminal concentrator server;  
a console device connected to the multiplexor; and  
a program product stored on the system server for allowing users to open a shared session and access the console device,  
wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter,  
and wherein the system is adapted to access the console device in the case that the console device has failed.
13. The system of claim 12, wherein the terminal concentrator server, the multiplexor and the device are interconnected over a hardwired serial port network.
14. The system of claim 12, wherein the terminal concentrator server and the system server are interconnected over a hardwired serial port network.
15. The system of claim 12, wherein the terminal concentrator server and the system server are addressably connected over a network
16. The system of claim 12, wherein the console device is a computer system.
17. The system of claim 12, wherein the shared session is opened by the users at a TCP/IP layer level.
18. The system of claim 12, wherein the console device is accessed by the users on a peer to peer basis.

19. The system of claim 12, wherein the program product, when executed, comprises:  
    program code configured to access one of a plurality of console devices on a peer to peer basis over a hardwired serial port network;  
    program code configured to invite a user to join a shared session of one of a plurality of console devices interconnected over a hardwired serial port network;  
    program code configured to request a shared session from a current user of one of a plurality of console devices interconnected over a hardwired serial port network;  
    program code configured to delegate control of a console device during a shared session;  
and  
    program code configured to regain delegated control of a console device.
20. A system for managing a plurality of console devices in a network, comprising:  
    a system server;  
    a plurality of terminal concentrator servers connected to the system server;  
    a separate multiplexor connected to each of the terminal concentrator servers;  
    at least one console device hardwired to each multiplexor; and  
    a program product stored on the system server for allowing users to open a shared session of a particular console device, and to access the particular console device on a peer to peer basis, wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter, and wherein the system is adapted to access the console device in the case that the console device has failed.
21. The system of claim 20, wherein the shared sessions are opened on a TCP/IP layer level.
22. The system of claim 20, wherein the console devices are computer systems.
23. The system of claim 20, wherein the system server, the terminal concentrator servers, the multiplexors, and the console devices are interconnected over the hardwired serial port network.
24. The system of claim 20, wherein the system server and the terminal concentrator servers are addressably connected.
25. The system of claim 20, wherein the program product, when executed, comprises:  
    program code configured to access one of a plurality of console devices on a peer to peer basis over a hardwired serial port network;  
    program code configured to invite users to join a shared session of one of a plurality of console devices interconnected over a hardwired serial port network;  
    program code configured to request a shared session from a current user of one of a plurality of console devices interconnected over a hardwired serial port network;  
    program code configured to delegate control of a console device during a shared session;  
and  
    program code configured to regain delegated control of a console device.

26. A program product stored on a recordable medium for managing a plurality of console devices interconnected over a hardwired serial port network, which when executed, comprises:

- program code configured to access one of a plurality of console devices on a peer to peer basis;
- program code configured to invite a user to join a shared session of one of the console devices;
- program code configured to request a shared session from a current user of one of the console devices;
- program code configured to delegate control of one of the console devices during a shared session; and
- program code configured to regain delegated control of one of the console devices, wherein both the hardware and software layer of the console device can be accessed without the requirement for an additional hardware dongle or a signal device transmitter, and wherein the program product is adapted to access the console device in the case that the console device has failed.

## **EVIDENCE APPENDIX**

No evidence has been entered and relied upon in the appeal.

## **RELATED PROCEEDINGS APPENDIX**

No decisions rendered by a court or the Board in any proceeding are identified in the related appeals and interferences section.